

REMARKS

Claims 1-13 remain pending in this application. Claims 6, 7 and 10 have been amended to correct the informality, but the claims have not otherwise been amended. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

Claims 1, 2, 3, 4, 5, 8, 9, 10, 11, and 12 stand rejected under 35 USC 101 as claiming the same invention as that of claims 1, 2, 3, 4, 8, 11, 12, 13, 14, 15, and 16 of prior US patent no. 6,529,656, respectively.

In response, independent claims 1, 8, and 10 have been amended to recite that the downstream and upstream signals are not overlapped during operation. Support for this can be found at least in page 8, lines 21-23. As shown in FIG. 2, the wavelength-bands of downstream and upstream signals are spaced from each other.

In contrast, prior US patent no. 6,529,656 discloses that the wavelength-bands of the downstream and upstream signals are overlapped. For example, the downstream uses the wavelength-band of 1550-1560nm and the upstream signal uses the wavelength-band of 1560-1570 nm in the present invention. The early issued patent '656 uses the same wavelength-band for the downstream and upstream signals, i.e., the downstream signal uses the wavelengths of 1551, 1553,...1559 nm and the upstream signal uses the wavelengths of 1552, 1554,...1560 nm.


Accordingly, it is respectfully submitted that claims 1, 8, and 10 are not anticipated by prior US patent no. 6,529,656.

In view of the foregoing amendments and remarks, it is believed that this application is now

in condition for allowance. The Examiner is invited to contact the undersigned in the event of any perceived outstanding issues so that passage of the case to issue can be effected without the need for a further Office Action.

If there are any fees due and owing, please charge Deposit Account No. 502-470.

Respectfully submitted,


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